

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re SOTO.

Case No. [24-cv-04689-HSG](#)

**ORDER OF DISMISSAL**

On August 2, 2024, the Court docketed a letter from Plaintiff. Dkt. No. 1. Because Plaintiff appeared to be seeking action from the Court, the Court opened an action pursuant to this filing. That same day, the Court sent Plaintiff deficiency notices, informing Plaintiff that the action was deficient because he did not submit the proper case-initiating forms – (1) a civil rights complaint on the civil rights complaint by prisoner form and (2) either the filing fee or an application to proceed *in forma pauperis*. Dkt. Nos. 2, 3. The Court sent Plaintiff a blank form civil rights complaint by prisoner form and a blank *in forma pauperis* application form. *Id.* The Court informed Plaintiff that, by August 31, 2024, he must submit both (1) a signed and completed complaint on the proper form, and (2) either pay the filing fee or submit a signed and completed *in forma pauperis* application, or this action would be dismissed without prejudice. *Id.* The deadline to file a complaint on the proper form and to either pay the filing fee or submit an application to proceed *in forma pauperis* has passed, and Plaintiff has not filed the required documents. Accordingly, this action is DISMISSED for failure to submit a signed and completed complaint on the proper form, and to file an *in forma pauperis* application or pay the filing fee. The dismissal is without prejudice to Plaintiff filing a motion to reopen the action. Any motion to reopen must be accompanied by both (1) a signed and completed complaint on the proper form; and (2) either the

filing fee or an application to proceed *in forma pauperis*. Judgment is entered in favor against Plaintiff. The Clerk shall close the case.

**IT IS SO ORDERED.**

Dated: 9/24/2024

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge

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